

RBT

WA [redacted] CFC
Nodata
SF

~~Chuck~~ — Marcia — since state can't do it — no need to follow up any further

I talked to Jim Kent at OSW about the status of the PWT delisting petition. Based on a conversation between someone at OSW and Toby Heggdahl on 9/6/84, the petition, which Toby apparently indicated would probably be withdrawn, was turned over to the state. Authorized states at that time were also authorized to carry out the delisting process — no longer the case, as you know.

At any rate, if PWT wants to pursue the delisting, they can't do it through the state now, so in that respect nothing has changed. However, technically the state could be liable for not acting on the petition, according to Jim Kent. He advised me to find out if the state ever formally denied it (no chance) or if PWT ever formally withdrew.

Do you think I should call Howard Steeley to try to resolve this?

Marcia



Chuck R.

WA 6906

6-14-85

EF

1. Do you intend to pursue this?
2. Does DOE NPDES program have authority to require corrective action?
3. Can we get copy of Sweet & Edwards proposal? Is it being done voluntarily or as result of DOE action?
4. Is this a good 3008(h) case?
5. Thoughts on 3013?

Ken

6/14/85

Marcia - (Rice last)

please answer below's questions # 2. & 3.

The answers to the next are

#1 - Yes

#4 - No - IS has been terminated.

However, we may want to use this
case to find out where HQ stands
(i.e., guidance on ^{3008(c)s} issuance after
termination of IS)

#5 - Maybe use 3013 depending on
what state is currently doing & planning
to do or capable of doing (i.e., funding)
& authority.

Please let me know what's happening re: PWT
so we can make decisions w/ next actions.
Thanks.

Ron